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E-FILED 3/10/08

Attorneys for Plaintiff Surf and Sand, LLC

UNITED STATES DISTRICT COURT OF CALIFORNIA
 NORTHERN DISTRICT OF CALIFORNIA

SURF AND SAND, LLC, a California
 Limited Liability Company,

Plaintiff,

v.

CITY OF CAPITOLA; and DOES 1
 through 100, inclusive,

Defendants.

Case No.: 07 05043 RS

Judge: Hon. Richard Seeborg
 Dept.: Ctrm. 4

E-FILING

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE THE CASE
 MANAGEMENT CONFERENCE
 PURSUANT TO LOCAL RULE
 16.2(d)-(e)**

IT IS HEREBY STIPULATED BY AND BETWEEN counsel for the parties to request a continuance of the Case Management Conference, which is presently scheduled for March 19, 2008, for approximately four (4) months. The Parties request a continuance of the Case Management Conference until July 16, 2008, at 2:30 p.m. The parties adequately met and conferred and agreed that a continuance would be necessary. Plaintiff filed its first amended complaint on March 4, 2008. The case would not be "at issue" if the Case Management Conference proceeds as scheduled. A continuance of the Case Management Conference would permit Defendant to respond to the amended

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1 complaint and for the Court to determine any applicable motions prior to the Case
2 Management Conference.

3 Dated: March 10, 2008

HART, KING & COLDREN

4
5 By: 

Robert S. Coldren
C. William Dahlin
Mark D. Alpert
Beau M. Chung
Attorneys for Plaintiff Surf and Sand, LLC

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8
9 Dated: March 7, 2008

ENDEMAN, LINCOLN, TUREK & HEATER,
LLP

10
11 By: 

Henry E. Heater
Linda B. Reich
Attorneys for Defendant City of Capitola

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15 ORDER

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17 PURSUANT TO STIPULATION IT IS SO ORDERED.

18 Dated: 3/10/08

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The Hon. Richard Seeborg
Magistrate Judge, U.S. District Court of the
Northern District of California

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